

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:23-cr-00053-MR-WCM**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                           **O R D E R**  
                               )  
TORREY LANE HODSDEN,     )  
                               )  
Defendant.                 )  
                               )

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**THIS MATTER** is before the Defendant's Motion to Strike Government's Information under 21 U.S.C. § 851. [Doc. 25].

By the present motion, the Defendant moves to strike the Information [Doc. 16] filed by the Government pursuant to 21 U.S.C. § 851. For grounds, the Defendant contends that the prior conviction identified therein—namely, his prior conviction for possession with intent to distribute marijuana—does not qualify as a “serious drug felony.” [Doc. 25].

In response, the Government has filed an Amended Information and Notice of a Prior Conviction alleging a new “serious drug felony” and “felony drug offense.” [See Docs. 33, 35]. Accordingly, the Defendant's Motion to Strike is now moot.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion to Strike [Doc. 25] is **DENIED AS MOOT.**

**IT IS SO ORDERED.**

Signed: February 7, 2024



Martin Reidinger  
Chief United States District Judge

